

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

JUN 12 2002

BC

Michael N. Milby, Clerk

MARK NEWBY,

Plaintiff

V.

ENRON CORP., ET AL.,

Defendants

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Consolidated Lead No. H-01-3624

INVESTORS PARTNER LIFE INSURANCE
COMPANY, JOHN HANCOCK LIFE INSURANCE
COMPANY, and JOHN HANCOCK VARIABLE
LIFE INSURANCE COMPANY, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs

V.

KENNETH L. LAY, et al.

Defendants

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Civil Action No. H-02-1364

**AFFIDAVIT OF MARK A. STRAUSS IN SUPPORT OF THE HANCOCK PLAINTIFFS'
MOTION FOR APPOINTMENT OF LEAD PLAINTIFFS AND
FOR SELECTION OF LEAD COUNSEL**

STATE OF NEW YORK)
COUNTY OF NEW YORK)

Mark A. Strauss, being duly sworn, deposes and says:

1. My name is Mark A. Strauss. I am with the law firm of Kirby McInerney & Squire, LLP, counsel for plaintiffs and movants Investors Partner Life Insurance Company, John Hancock Life Insurance Company (formerly John Hancock Mutual Life Insurance Company), and John Hancock Variable Life Insurance Company (collectively, "Hancock").

2. Hancock seeks to be appointed as lead plaintiff pursuant to Section 21D of the

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Securities Exchange Act of 1934 (the "Exchange Act") in an action asserting claims on behalf of purchasers of non-publicly traded debt securities of Enron or of Enron affiliates guaranteed directly or indirectly by Enron, as more specifically defined in the complaint in the above-captioned action.

3. I submit this affidavit, together with the attached exhibits, in support of Hancock's motion to, *inter alia*, appoint Hancock to serve as lead plaintiff and to approve Hancock's choice of Kirby McInerney & Squire and Ellis, Carstarphen, Dougherty & Goldenthal P.C. as counsel. I am fully familiar with the facts set forth herein and the statements made are true and correct based on my personal knowledge.

4. Attached hereto as the exhibits indicated are true and correct copies of the following:

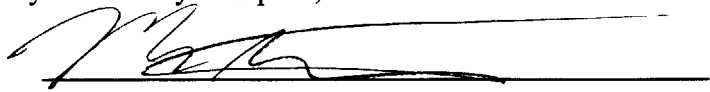
Exhibit A: Notice to class members concerning the above captioned action, disseminated over *Business Wire* on April 15, 2002.

Exhibit B: Sworn shareholder certifications for plaintiffs in the above-captioned action who make the instant motion, together with a copy of the complaint filed by movants and the notice to class members issued by movants.

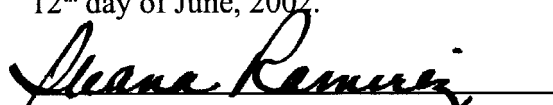
Exhibit C: Charts of the Hancock Plaintiffs' transactions in the Class Securities as defined in the complaint during the relevant period and approximate losses related thereto.

Exhibit D: Firm Resume of Ellis, Carstarphen, Dougherty & Goldenthal P.C.

Exhibit E: Firm Resume of Kirby McInerney & Squire, L.L.P.


Mark A. Strauss

Sworn to before me this
12th day of June, 2002.


NOTARY PUBLIC

ILEANA RAMIREZ
Notary Public, State of New York
Reg.# 01RA4740575
Appointed in Otsego County
My Commission expires 8/31/2005.

The Exhibits May
Be Viewed In The
Office of the Clerk